

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES of AMERICA,

v.

MARCIO COSTA, JOAO PEDRO
MARQUES GUIMARES, BRENO
HENRIQUE DASILVA, ALVARO DOS
SANTOS MELO, EDSON DASILVA, IGOR
COSTA and VINICIUS GONCALVES DE
ASSIS,

Defendants.

Criminal Action No. 1:19-cr-10190-PBS

JOINT MOTION TO CONTINUE STATUS CONFERENCE

Defendants Edson DaSilva, Igor Costa and Vinicius Goncalves De Assis (collectively, “Defendants”), and the Government (collectively with Defendants, the “Parties”) jointly move to continue the status conference for the Defendants from August 1, 2019 to October 4, 2019 at 10:30 a.m., the date and time that has already been set for a status conference for the other four named defendants in the above referenced matter. In support of this motion, the Parties state:

1. Defendants were indicted and arraigned in June, and they just received automatic discovery from the Government on July 16, 2019, and the Government has indicated that additional discovery would be forthcoming.

2. The discovery that has been produced to date is voluminous, and Defendants and their counsel need additional time beyond the currently scheduled August 1, 2019 status conference to review and discuss the material. Additional time is also needed because Defendants do not speak English, and much of the discovery will need to be translated for them.

3. The other four defendants in this case were arraigned separately from Defendants, and an initial status conference was held for them on July 22, 2019, at which time it was agreed that the four defendants and their counsel all needed more time to review automatic discovery. An interim status conference for the four other defendants was set for October 4, 2019 at 10:30 a.m., with an agreement by all counsel to exclude the time between July 22 and October 4 under the Speedy Trial Act in the interests of justice.

4. The requested continuance of Defendants' status conference will enable Defendants and their counsel to review automatic discovery. It will also promote judicial economy and efficiency by putting all seven defendants on the same track for discovery and pre-trial purposes.

5. Defendants agree to exclude the time between this filing and October 4 under the Speedy Trial Act in the interests of justice.

WHEREFORE, the Parties request that this motion be granted, and that the Court continue Defendants' status conference currently scheduled for August 1, 2019 until October 4, 2019 at 10:30 a.m., and combine it with the interim status conference that has already been set for that date and time for the other defendants in this matter. Defendants agree to exclude the time between this filing and October 4, 2019 under the Speedy Trial Act in the interest of justice.

Respectfully submitted,

UNITED STATES OF AMERICA,

By: /s/ Timothy E. Moran
Timothy E. Moran
Michael Crowley
Assistant United States Attorneys
United States Attorney's Office
1 Courthouse Way
Boston, MA 02210
timothy.e.moran@usdoj.gov

EDSON DASILVA,

By: /s/ David J. Apfel
David J. Apfel (BBO #551139)
Goodwin Procter LLP
100 Northern Avenue
Boston, MA 02210
617-570-1000
dapfel@goodwinlaw.com

IGOR COSTA,

By: /s/ Inga S. Bernstein
Inga S. Bernstein (BBO #627251)
Zalkind Duncan & Bernstein LLP
65A Atlantic Avenue
Boston, MA 02110
617-742-6020
ibernstein@zalkindlaw.com

VINICIUS GONCALVES DE ASSIS,

By: /s/ Mark D. Smith
Mark D. Smith (BBO #542676)
Laredo & Smith, LLP
101 Federal Street, Suite 650
Boston, MA 02110
617-443-1100
smith@laredosmith.com

Dated: July 26, 2019

LOCAL RULE 7.1(a)(2) CERTIFICATION

I, David J. Apfel, hereby certify that I have conferred in good faith with the Government through Assistant U.S. Attorneys Timothy Moran and Michael Crowley, with Mr. Costa's counsel Inga S. Bernstein and with Mr. Goncalves De Assis's counsel Mark D. Smith regarding the above-captioned motion, and the Government and counsel for Messrs. Costa and Goncalves De Assis have assented to the motion being filed as a joint motion.

By: /s/ David J. Apfel
David J. Apfel (BBO #551139)

CERTIFICATE OF SERVICE

I, David J. Apfel, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants.

By: /s/ David J. Apfel
David J. Apfel (BBO #551139)